

Date: July 16, 2012

To: Thomas J. Bonfield, City Manager
From: Jose L. Lopez, Sr., Chief of Police

Subject: Interlocal Agreement with Durham County regarding the Central Warrant Control Office.

Executive Summary:

A Central Warrant Control Office was established by interlocal agreement between the City of Durham, Durham County and the Sheriff's Office effective January 1, 2009. The interlocal agreement for FY11-12 provided for the staffing of eight full time clerks and one full-time supervising clerk, plus specific office costs. It was intended that these clerical positions would be able to record any new misdemeanor warrants (worthless check, shoplifting, vandalism, etc.) from the City and the County, in addition to reducing the backlog of warrants (non-felony warrants over 180 days) by recording them in the County's RMS and Justice XChange systems. In order to continue addressing the current situation concerning outstanding warrants and continue reducing the backlog, the City and County desire to continue jointly funding a Central Warrant Control Office.

Recommendation:

1. To Authorize the City Manager to execute an interlocal agreement between the City, Durham County and the Sheriff of Durham County to provide funding for fiscal year ending 6/30/13 of up to \$198,200.00 to continue the operation of the central Warrant Control Office as staffed since July 1, 2010
2. To Authorize the City Manager to make changes to the agreement before execution provided the changes do not increase the amount to be paid by the City and do not decrease the goods and services to be provided to the City.

Background:

In the spring of 2008 community concern was raised regarding the increasing number of back logged warrants in the Clerk of Court and Magistrate's office. The warrants are tracked by the Durham Police Department and the Sheriff of Durham County through separate data bases; there is a separate database operated by the Clerk of Court and the Magistrate's Office to track warrants as well. These systems are not compatible nor is there shared access among the users. This created the potential for individuals stopped by one agency to avoid service of warrants which have been taken out for service by the other. In May and June, 2008 the County Manager, City Manager, Police Department, Sheriff and other elected officials developed a plan to establish a centralized warrant control office managed by the sheriff and funded by the City and the County. A Central Warrant Control Office was established by

interlocal agreement between the City of Durham, Durham County and the Sheriff's Office effective January 1, 2009. The interlocal agreements for FY10-11 and FY11-12 provided shared funding for the staffing of eight full time clerks and one full-time supervising clerk, plus specific office costs. It was intended that these clerical positions would be able to record any new misdemeanor warrants (worthless check, shoplifting, vandalism, etc.) from the City and the County, in addition to reducing the backlog of warrants (non-felony warrants over 180 days) by recording them in the County's RMS and Justice XChange systems.

Attached to this memo is a report from the Durham County Sheriff's office which gives details of activity related to warrants for the past fiscal year. Note the backlog of old paper warrants was reduced during this period from 21,733 to an estimated 7,305 by entering 14,428 of these warrants into the electronic repository. The District Attorney's office did not dismiss any of the backlogged warrants in FY12.

Issues/Analysis

Prior Funding Arrangements:

Beginning in fiscal year 2008-09, the City and the County jointly funded the warrant control system through interlocal agreement.

In FY2008-09, the City paid 50% funding for four shared clerks (\$45,549) fully funded four clerks (\$76,545), half funded four Deputy Sheriff positions (\$189,543.50), shared startup costs (\$20,967.50) and half of technology costs (\$8,700). Total Durham City initial cost was \$341,305; the County's total estimated cost was \$653,592.25.

In FY2009-10, the arrangement was amended providing that the City would half support four clerk positions and operating costs at \$79,638, fully fund four clerks at \$136,176, half fund four deputies at \$96,368.67 and half fund Insurance and Bonds and overtime at \$19,382, for a total estimated funding of \$331,564.67. The City chose to support its portion of Warrant Control costs with JAG funding received during the 2009-10 year. The estimated County cost was \$503,697.67. JAG funding available for Durham County and the City to support Warrant Control was \$338,071.50. This means the City supported \$159,119.17 worth of Warrant Control costs with General Fund dollars, and subsidized \$6,506.83 worth of Warrant Control with extra JAG funding.

In FY2010-11, the arrangement was amended so that the City would support half of a supervisor's and half of eight clerk positions, plus operation of the warrant office, up to a total of \$182,516 from the Police Department's general fund budget. The Police Department also set up and fully funded four officers in a Warrant Control division for an additional general fund cost of \$294,992.24, making the total spent by the City \$477,508.24.

In FY2011-12, the agreement was continued with the sharing of costs at the same level and with the same purposes as budgeted in FY10-11. The Police Department also fully funded four officers in a Warrant Control division for an additional general fund cost of \$285,392.74, making the total spent by the City \$467,908.74.

For FY2012-13, the interlocal agreement between the City and the County suggests that the sharing of costs be continued for an additional fiscal year for the same purposes as budgeted in FY11-12. The total cost to be shared between the City and the County will increase to \$396,401 in order to cover increases in overtime, salary, and insurance costs. The City and the County will continue paying their own officers for warrant control service and any increases in total cost over the \$396,401 being requested at this time will be paid by the County.

Alternatives

There are currently no other funding sources available to assist in paying these costs. The alternative would be for the City to stop sharing the costs of the Central Warrant Control Office established in 2009 which would have an adverse effect on reducing the remaining old paper backlog of misdemeanor warrants.

Financial Impact

The City's general fund budget in the Police Department for FY2012-13 includes \$198,200 for continuing the interlocal agreement. Also budgeted in the general fund for FY2012-13 is \$298,296 for the salary and benefits of four officers in the Warrant Squad division.

SDBE Summary

This agreement does not require a review for compliance with the City's Ordinance to Promote Equal Opportunity in City Contracting.

Attachments: FY2012 Totals of Joint County/City Warrant Squad activity
Interlocal Agreement for FYE 6/30/13